



**Lambertville Municipal Utilities Authority
Regular Meeting
Wednesday, November 6, 2013, 6:00 PM
Lambertville Wastewater Treatment Facility,
Lambert Lane Extended
Meeting Minutes**

The meeting was called to order at 6:08 p.m. by the Vice Chairwoman, Janine MacGregor with a statement of compliance with the Open Public Meetings Act, providing the required annual legal notice published on Thursday, February 21, 2013 to The Hunterdon County Democrat, also noticed The Trenton Times, and The Beacon News. A copy of the agenda and minutes were posted on the bulletin board and web site of the LMUA and the City of Lambertville.

Roll Call.

Mrs. Ege called the roll as follows:

Members Present Included:

LMUA Board: Janine MacGregor-Vice Chairwoman, Frank Kramer-Secretary, Vincent Uhl-Member, Paul Rotondi-Alternate 1

Absent: Eric Richard-Chairman, Robert Hayes-Treasurer

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, Greg Watts-Attorney, Watts, Tice and Skowronek

Pledge of Allegiance.

Mrs. MacGregor led the public in the Pledge of Allegiance.

Minutes.

The minutes of the October 2, 2013 meeting were approved on a motion made by Mr. Kramer and seconded by Mr. Rotondi followed by a unanimous roll call vote. MOTION CARRIED.

The closed session minutes of the October 2, 2013 meeting were approved on a motion made by Mr. Kramer and seconded by Mrs. MacGregor followed by a unanimous roll call vote. MOTION CARRIED.

Public Comment.

There was no public in attendance.

Correspondence.

1. DEP Notice for Lambertville Water Loft WMP Amendment: NJ DEP requested several changes to the submitted application.
2. LMUA Response to DEO Requests for Water Loft: The requested documents have been submitted and are waiting DEP response.
3. DEP Notice for Hunterdon Medical Center WMP Amendment: NJ DEP requested several changes to the submitted application.
4. LMUA Response to DEP Requests for Hunterdon Medical Center: The requested documents have been submitted and are waiting DEP response.

5. Authorization of Sewer Capacity and Availability for 39 Ferry St. Townhouses: Mr. Horn has granted capacity for the proposed townhouses.
6. SHREC Hydro Study Update: Mr. Horn has sent out the requested information to continue work on the study.

Chairman's Report.

Mr. Horn took a moment to review the odor action plan. The Board reviewed the spread sheets he had prepared entitled *Odor Call Summary and Sludge Levels* with the Board for the month of October. Mr. Horn continues to work with staff to maintain low levels in the holding tank. The plan is to run until the tank is close to empty on Friday to insure the levels remain at a manageable level over the weekends and through holidays.

Employee Turkeys: Mr. Rotondi made a motion to approve purchasing of Thanksgiving turkeys for LMUA employees. Mr. Kramer seconded the motion. A unanimous roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Engineers Report – CDM Smith, Inc.

There was no activity for the month of October therefore CDM-Smith did not submit a report.

Mr. Matteson continues to work on updating the Operations and Maintenance manual.

Executive Directors Report – Thomas Horn.

November 2013 Operations and Maintenance: Mr. Horn reported that there were no operational problems this past month. The staff worked on the seasonal maintenance of the process tanks. The staff continues to fix the problem areas detected by the infrared testing done in August. JCP&L had finished replacing the transformers.

Swan St. Pump Station: Once the NJ Water Supply Authority's project is complete the Authority will begin work on the by-pass.

The application to revise the biofilter air permit has been submitted.

The combination truck is expected to be delivered in December.

Environmental Commission: The Commission has been awarded a grant for food waste recycling. The Board took a moment to review the enclosed newspaper articles. It is Mr. Horn's opinion that because of the plants size digesting would not be possible. The plant is too small to create sufficient gas to generate enough energy to run the backup generator. Secondly, he explained that there would be a significant amount of work needed to convert the current holding tank back to a digester. The fixed cover would need to be removed and installation of a floating and a mixer would need to be done. Mr. Horn plans to convey these concerns to Mr. Campbell, Chairman of the Environmental Commission to insure that the grant money is used efficiently. The short term goal of the study would be to first conduct a survey with the residents to find out if they would be interested in separating food wastes for composting. Mrs. MacGregor feels that the first part of the study would be a "great first step" for the community.

Mr. Horn feels that this step would be more “beneficial” than the digesting. Mrs. MacGregor would like the Authority to be proactive and contribute to the study in any way that we can.

SHREC: The new investor would like a new PPA for the project and removal of the hydro study from the PPA. Swan Creek, LLC will need a separate agreement for the study. Mr. Campbell has continued to work on the study.

FEMA has requested a denial letter from our insurance carrier for the submitted generator and overtime expenses due to hurricane Sandy. Mr. Horn has been in touch with the JIF to request that documentation.

WMP Amendment: The LMUA has received requests from the DEP on both projects and has submitted the required documents. Mr. Horn, at the request of Mayor DeVecchio had researched the possibility of sewer service to Buddies restaurant located on Route 179. Buddies would first need to obtain approvals from West Amwell Township and NJ DEP before planning could begin. Mr. Horn outlined his memo for sewer availability for the restaurant to the Board. He explained that there are several options to run the sewer service over to their facility if the necessary approvals were received.

Heritage Village: The Authority has received a letter from an Attorney representing Heritage Village on the three year back-billing. They are arguing that because they are a low income housing property under COAH and have restrictions on rent they do not have the funding to pay the amount requested. The Board reviewed the letter and at the recommendation of Mr. Watts decided to discuss the details in closed session until a decision could be made.

Mr. Horn then requested that the Board move to ratify the Union Memorandum if agreeable by adoption of Resolution 041-2013.

Resolution 041-2013 *Authorizing a Four Year Contract for Union Employees*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 041-2013
Authorizing a Four Year Contract for Communications
Workers of America, AFL-CIO Union Employees

WHEREAS, at the regularly scheduled Board meeting of the Lambertville Municipal Utilities Authority herein known as “LMUA” the matter of the four year contract for the C WA Union employees was reviewed; and

WHEREAS, an agreement has been reached with representatives of the Communications Workers of America, AFL-CIO Union and Personnel Committee on the terms of a four year contract for the period of July 1, 2013 through June 30, 2017; and

WHEREAS, the Board did review the Agreement and does recommend that said agreement be ratified at this time.

NOW, THEREFOR, BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 6, 2013 hereby ratify and approve the terms and condition of said Agreement by and between the Communications Workers of America, AFL-CIO for the period of July 1, 2013 through June 30, 2017.

Affective November 6, 2013

The Resolution was adopted by a call of ayes and nays as follows:

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Eric Richard				X
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes				X
Vincent Uhl	X			
Paul Rotondi	X			

Mrs. MacGregor made a motion approving Resolution 041-2013 *Authorizing a Four Year Contract with CWA, AFL-CIO Union Employees*. Mr. Kramer seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. **MOTION CARRIED**

After discussing the Non-Union raises the Board moved the below Resolution.

Resolution 042-2013 "Concerning Non-Union Pay Raises"

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 042-2013
Concerning Non-Union Pay Raises

WHEREAS, at the regularly scheduled Board meeting of the Lambertville Municipal Utilities Authority the matter of Non-Union employee raises for the fiscal year 2013 were reviewed; and

WHEREAS, the Union employees will receive a 3% salary increase effective July 1, 2013; and

WHEREAS, the LMUA Attorney and Executive Director recommends a similar salary increase for the Board to award the Non-Union Employees; and

WHEREAS, the Board concurs with the Attorney and Executive Director.

NOW, THEREFOR, BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 6, 2013 hereby wishes to award Non-Union Employees a 3% raise effective July 1, 2013.

Adopted: November 6, 2013

The Resolution was adopted by a call of ayes and nays as follows:

Governing Body	Recorded Vote
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Member:	Aye	Nay	Abstain	Absent
Eric Richard				X
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes				X
Vincent Uhl	X			

Mrs. MacGregor made a motion approving Resolution 042-2013 *Authorizing Non-Union Employee Raises for fiscal year July 1, 2013 to June 30, 2014*. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED.

Chief Financial Officer’s Report - Kathy Leary.

Mr. Kramer made a motion to approve the bill lists for October. Mrs. MacGregor seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED.

Attorney’s Report – Greg Watts.

Mr. Watts updated the Board on the ongoing litigation involving Black River Western in closed session where he does not expect the Board to take formal action.

Closed Session.

Resolution 040-2013” Authorizing a Closed Session at the November 6, 2013 Regularly Scheduled Meeting of the Lambertville MUA to Discuss Contracts and Litigation”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Resolution 040-2013

“Authorizing a Closed Session at the November 6, 2013 Regularly Scheduled Meeting of the Lambertville Municipal Utilities Authority to Discuss Contracts and Possible Litigation”

WHEREAS, the Board of the Lambertville Municipal Utilities Authority is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A. 10:4-12(b).

NOW, THEREFORE, BE IT RESOLVED that the Board of the Lambertville Municipal Utilities Authority hereby moves to go into closed session on Wednesday, November 6, 2013 at The LMUA Sewerage Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing possible litigation and contractual matters.

BE IT FURTHER RESOLVED that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

The Resolution was adopted by a call of ayes and nays as follows:

Moved: Mrs. MacGregor

Seconded: Mr. Rotondi

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Eric Richard				X
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes				X
Vincent Uhl	X			
Paul Rotondi	X			

Mrs. MacGregor made a motion approving Resolution 040-2013 *Authorizing a Closed Session to Discuss Contracts*. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present.
MOTION CARRIED

The LMUA Board convened in closed session at 6:42 p.m.
The LMUA Board re-convened in regular session at 6:57 p.m.

After reconvening from closed session the Board then directed Mr. Horn to act on behalf of the Authority and offer Heritage Village a payment plan in which the organization can make set payments towards their back-bill over a three year period.

Adjournment.

The meeting adjourned at 6:58 p.m. with a motion made by Mr. Kramer and seconded by Mrs. MacGregor An affirmative voice vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Respectfully submitted,

Melissa S. Ege

Melissa S. Ege, Administrative Assistant

Approved at the regularly scheduled Lambertville MUA Board meeting held on December 4, 2013.